

CARLOS WILLIARD & FLANAGAN, P.A.

ATTORNEYS AT LAW

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RECEIVED
MAR 15 2001

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March 11, 2002

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

**Via Facsimile 305-372-6096 &
Via U.S. Mail**

Ms. Donna Jacoby
Miami-Dade County
Department of Planning and Zoning
111 NW 1st Street, 11th Floor
Miami, FL 33128-1972

Re: Acropolis Realty – Public Hearing No. 01-398

Dear Donna:

I am in receipt of your letter dated March 5, 2002 regarding the status of the above-referenced Public Hearing Application. This will confirm that, for the reasons set forth herein, the Applicant, Acropolis Realty, wishes to go forward with the Application; and, therefore, please do not withdraw/return the Application.

As I indicated in an email status report to you back in January, the processing of the Application was on hold until certain issues regarding the closure of public rights of way (via a separate Road Closure Petition process) could be resolved. At that time, we hoped to resolve those issues and be in a position to go forward with the Application; however, due to unforeseen delays and the preparation of the road closure application, the Applicant had to delay making site plan revisions and submitting same to your section.

Nonetheless, this will confirm that the Road Closure Petition will be filed with Miami-Dade County during the first week of next month (April 2002), at which time the revised site plan will be submitted to you and the Applicant will then go forward with the processing of the Application.

Therefore, your continued patience is requested. Should you have any questions or any further information please do not hesitate to contact me.

Yours truly,

CARLOS WILLIARD & FLANAGAN, P.A.

Chad Williard

Chad Williard

cc: Jose Milan (via facsimile)
Mike Sardiñas (via facsimile)

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY 

October 9, 2002

Diane O'Quinn Williams, Director
Miami-Dade County
Department of Planning and Zoning
111 N.W. 1st Street, 11th Floor
Miami, FL 33128

Re: Acropolis Realty, LLC - Public Hearing No. 01-398

Dear Ms. O'Quinn Williams:

Please accept this correspondence as an Amended Letter of Intent submitted in connection with the above referenced Public Hearing Application (the "Application"). The purpose of this Amended Letter of Intent is to modify the Application's zoning request and to submit a revised site plan in connection with same.

First, the recent decision rendered by the Third District Court of Appeal in *Miami-Dade County v. Omnipoint Holdings, Inc.* ("Omnipoint"), among other things, invalidated Miami-Dade County's standards for "Non-Use Variance" requests. In light of the fact that Miami-Dade County has not yet passed and adopted ordinances providing new standards for Non-Use Variances, the Applicant desires to avoid further delay in the processing of the Application by amending the zoning request in such a manner as to permit the Application to proceed without further, "Omnipoint - related," postponement. Therefore, this will confirm that the Applicant hereby deletes all previous requests and replaces them with the following: a District Boundary Change from RU-5A and BU-1 (plus other zoning district classifications, if any, for the adjacent rights of way to the north and west, which are being incorporated into the subject property via a road closure petition currently pending with Miami-Dade County) to Office Park District ("OPD") for the purpose of redeveloping the Property with a state of the art medical office park.

In addition to "Omnipoint" - reasons for amending the zoning request, the Applicant now desires to rezone the Property to OPD because this district provides the necessary flexibility to permit the type of innovative, heavily landscaped, aesthetically pleasing office park development proposed for the Property. It should be noted that this revised site plan (which represents a vast improvement over the deteriorating, unattractive medical office complex which currently exists on the Property) is the result of many meetings with Planning and Zoning Department Staff (the "Staff") and represents the Applicant's best efforts to incorporate Staff's design recommendations. The resulting

Ms. Diane O'Quinn Williams

October 9, 2002

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site plan submitted herewith: provides excess landscaping; proposes buildings which are six stories, as opposed to eight stories which are otherwise permitted in the OPD; remedies the current parking shortage by providing significantly more parking spaces than that required by Code, but doing so in such a way as to effectively "hide" the parking (thus removing the current, undesirable, "sea of asphalt," parking lots from the Property); and makes the most efficient use of the Property by aggregating the structures in such a way as to efficiently provide much needed medical office space to the area in a manner which significantly upgrades the Property.

With respect to the site plan submitted herewith, please note the following: the legal description is provided on the survey which is included within the site plan submittal materials; the landscape architect's Landscape Code Compliance Affidavit is incorporated into the Landscape Plan; and, while the uses are not expressly labeled on the site plan's floor plans, this will confirm the Applicant's intent to develop up to 15% of the gross interior square footage with commercial uses accessory to the principal use, as permitted in the OPD (See note on the site plan zoning legend).

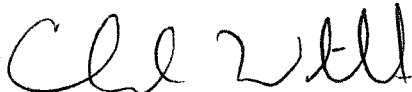
The Applicant has worked diligently with Staff to create the best redevelopment possible for the Property: a well designed, heavily landscaped, medical office park which is compatible with the surrounding area and will serve and promote a public benefit. Moreover, the OPD zoning request is consistent with the CDMP's, "Office/Residential," land use designation for the Property.

Accordingly, for all the reasons set forth herein, the Applicant respectfully urges you to recommend approval of the Application in its entirety.

Thank you for your consideration.

Yours truly,

CARLOS WILLIARD & FLANAGAN, P.A.



W. Chad Williard

/fz

Enclosure

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CARLOS WILLIARD & FLANAGAN, P.A.

ATTORNEYS AT LAW

THOMAS P. CARLOS
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November 7, 2001

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Via Hand Delivery

Ms. Diane O'Quinn Williams, Director
Miami-Dade County
Department of Planning and Zoning
111 N.W. 1st Street, 11th Floor
Miami, FL 33128

**Re: Letter of Intent for Acropolis Realty, LLC -
8960, 8966 & 8970 SW 87th Court, Miami, Florida**

Dear Ms. O'Quinn Williams:

On behalf of Acropolis Realty, LLC (the "Applicant"), owner of a (+/-) 2.86 acre parcel located at the southwest corner of SW 87th Court and SW 89th Terrace (street address is 8960, 8966 and 8970 SW 87th Court), Miami-Dade County, Florida (the "Property"), this shall constitute the Letter of Intent submitted in connection with the above referenced public hearing application (the "Application"). Specifically, the Applicant requests the approval of certain non-use variances in connection with the redevelopment of an existing office park located on the Property. For the reasons set forth below, your favorable consideration of the Application is respectfully requested.

The Property is currently zoned RU-5A (Semi-Professional Office District) and BU-1 (Neighborhood Business District) and is developed with three (3), two-story multi-tenant professional office buildings which were built in 1965. These office buildings have never been remodeled or redeveloped in any significant way during their 36-year existence. As a result, the office park has taken on an outdated and deteriorating look. The Applicant purchased the Property in January 2001 with plans to expend substantial amounts of time and money to raze the aging office buildings and replace them with three new buildings of an architectural style which will modernize and revitalize the Property.

The feasibility of this project for the Applicant depends on the approval of a non-use variance of zoning regulations with respect to the buildings' proposed height (5 stories proposed where 2 stories are permitted). However, two (2) of the proposed five (5) floors will be parking structures, which satisfies the Code's parking requirements and alleviate the site's current parking shortage.

Another facet of this redevelopment project which will result in an enhancement to the overall site is the Applicant's inclusion within its site plan of one-half of the rights of way of SW 89th Terrace and SW 88th Avenue, which border the Property to the north and west, respectively. Currently, only visitors to the Property use these roads. As such, the Public Works Department tentatively has indicated that it would support petitions for

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Ms. Diane O'Quinn Williams

the closing of these roads once the site plan submitted in connection with the Application is approved. Moreover, there is precedent for street closures in this particular section of Miami-Dade County (Resolution No. R-1124-68, granting petition to close a portion of SW 88th Avenue; Resolution No. R-781-68, granting petition to close portions of SW 88th Avenue). The benefit of these closures is that the Applicant will be able to incorporate this land into the Property, thereby replacing asphalt traffic lanes with additional landscaping and open space, etc..

In addition to the benefits which will be realized vis-a-vis the architectural and aesthetic enhancements the Property redevelopment will provide, the project will be undertaken in such a way as to create significantly less impacts to the surrounding area during the actual demolition and construction: the redevelopment will be done in phases. Specifically, the Applicant will first demolish and rebuild Building "A", before moving to Building "B" and, finally, Building "C". As a result, the magnitude of the construction project will never be more than that associated with one building as opposed to three buildings - thus providing a pro rata reduction in the noise, dust, construction traffic, etc. as would typically be experienced in a project of this size.

With respect to the proposed redevelopment's compatibility with the surrounding area, the Property's northern and western boundaries abut the Baptist Hospital Campus - which contains structures much taller than the 5-story buildings proposed in the Application; while its eastern and southern boundaries abut similar, professional office buildings. Additionally, the Property is designated "Office/Residential" on the Miami-Dade County Comprehensive Development Master Plan ("CDMP") Land Use Plan Map. As such, the proposed use of the Property is consistent with the CDMP.

As a review of the site plan illustrates, the Applicant proposes a well designed, aesthetically pleasing project with ample landscaping which, if approved, will allow this 36-year old office park to undergo a much needed, complete upgrade to bring it into the 21st Century. Accordingly, for all the reasons set forth herein, the Applicant respectfully urges you to recommend approval of the Application.

Thank you for your consideration.

Yours truly,
CARLOS WILLIARD & FLANAGAN, P.A.


W. Chad Williard

/blc